

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 5

Special Meeting

February 5, 2007

Town Board Minutes

February 5, 2007

Meeting No. 5

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of February 2007, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER .
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PROJECT REPRESENTATIVES:
SEAN HOPKINS, ESQ., HOPKINS, GARAS & SORGI, PLLC
WILLIAM TUYN, GREENMAN-PEDERSEN, INC.
DONALD OWENS, EARTH DIMENSIONS, INC.
THOMAS PLOTAR, P.E., GREENMAN-PEDERSEN, INC.
CHARLES ALESSI, P.E., CONSULTANT
ALAN RANDACCIO, RANDACCIO BUILDERS
VICTOR PETERSON III, M.J. PETERSON CORP.

PURPOSE OF MEETING:

WINDSOR RIDGE SOUTH SUBDIVISION

At the request of the project sponsor's attorney, the Municipal Review Committee met with the project sponsor as well as their consultants to review the submission of engineering reports dated January 31, 2007 submitted to the Municipal Review Committee on January 31, 2007. The reports were submitted in response to the potentially large impacts identified in the minutes of the State Environmental Quality Review held on January 16, 2007.

Discussion regarding the project's impact upon land offsite as well as the impact upon traffic flow and water consumption continued between members of the Municipal Review Committee and the project's representatives.

UPON A MOTION MADE BY PLANNING BOARD CHAIRMAN KEYSA, SECONDED BY PLANNING BOARD MEMBER MYSZKA to table this matter to allow the Town Engineer and Town Attorney to consult with the project sponsor's engineers and attorney for clarification on concerns related to the potentially large impacts as identified in the minutes of the State Environmental Quality Review held on January 16, 2007 resulted as followed:

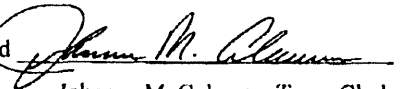
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion to table this matter was thereupon adopted.

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER AMATURA AND SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 7:46 p.m.

Signed



Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 6

Regular Meeting

February 5, 2007

Town Board Minutes

February 5, 2007

Meeting No. 6

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5th day of February 2007 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
CAPTAIN RICCARDO ZUPPELLI, LANCASTER POLICE DEPT.
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

UPON A MOTION DULY MADE BY COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing contracts and a personnel matter in the Police Department.

At 10:00 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- vehicles that will be advertised for bid in Engineering Department and Highway Department
- presented petition requesting banning of hunting in area near his home
- Windsor Ridge South Subdivision

Hatt, Garrett, 10 Queens Way, spoke to the Town Board on the following matter:

- hunting in the vicinity of residential subdivision

Lukowski, Donna, 129 Brunck Road, spoke to the Town Board on the following matter:

- Windsor Ridge South Subdivision

Fronczak, Mike, 3 Woodstream Drive, spoke to the Town Board on the following matter:

- vehicles that will be advertised for bid in Engineering Department and Highway Department

DeCarlo, Frank, 6 Hill Valley Drive, spoke to the Town Board on the following matter:

- property assessment of Lancaster Country Club

Korecz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- Aurora Market's alleged violations

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Freedom of Information Law
- Town Board proclamations

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held January 16, 2007 and the Regular Meeting of the Town Board held January 16, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WIIIO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER".

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 26th day of February 2007, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before February 15, 2007, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of February, 2007, the said Town Board will hold a Public Hearing on the 26th day of February, 2007, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION
STOPS; YIELD INTERSECTIONS
46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:**

COUNTRYVIEW SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Shadyside Lane	Pheasant Run Lane	N.E. Corner
Pheasant Run Lane	Shadyside Lane	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

February 5, 2007

File: rvtordchpt46stopsigns107

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing shade trees, and

WHEREAS, funds have been provided in the current 2007 General Town Budget for the 2007 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That sealed bids be received by the Town Clerk up to 10:00 A.M., Local Time, on February 22, 2007 for meeting the requirements of the Town of Lancaster's 2007 Tree Planting Program and for supplying trees in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee, and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

FILE: RBOTREES (P1)

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
OR NURSERYMEN**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk or her designee up to 10:00 A.M., Local Time, on February 22, 2007 at her office in the Town Hall, 21 Central Avenue, Lancaster, New York for meeting the requirements of the Town of Lancaster's Tree Planting Program for the year 2007 in accordance with specifications on file in the Town Clerk's Office.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) conditioned that, if the proposal is accepted, the bidder will enter into a contract for the same and that the bidder will execute any such further security as may be required for the faithful performance of the contract.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

February 5, 2007

File: RBOTREES (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WIIEREAS, the Town Justices by letter dated January 23, 2007, have recommended that the salary for the part-time Court Officer in the Lancaster Town Court be increased so as to be in line with the standards of other security officers, and

WIIEREAS, Irv Dehn, part-time Court Officer in the Lancaster Town Court, has created a quieter and more respectful decorum in the courtroom which has proven to be a great asset to the Town Justices.

NOW, THEREFORE, BE IT

RESOLVED, that the Schedule of Salaries adopted January 2, 2007, be hereby amended and that the hourly rate for part-time Court Officer Irv Dehn be and is hereby upgraded from \$13.67 per hour to \$20.00 per hour. This upgrade is retroactive to January 1, 2007.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by memorandum dated January 30, 2007, has requested to upgrade Martin Brzyski from a Laborer Grade #1 to Light Equipment Operator as a replacement for Paul Drewniak who retired on January 31, 2007.

NOW, THEREFORE, BE IT

RESOLVED, that Martin Brzyski be and is hereby upgraded from a Laborer Grade #1 to Light Equipment Operator effective February 6, 2007, continuing to accrue all benefits and salary in accordance with the departmental procedures set forth in the current C.S.E.A. Blue Collar contract,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Fairway Hills Development, LLC, 2730 Transit Road, West Seneca, New York has applied to the Town Board of the Town of Lancaster for permits for Public Improvements upon real property in the Town of Lancaster within Summerfield Farms Subdivision, Phase IV, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 625, 626, 627 and 628 of Fairway Hills Development, LLC, 2730 Transit Road, West Seneca, New York, which are permits for Public Improvements for the installation of:

P.I.P. No. 625
(Pavement & Curbs)

Construction of Summerfield Farms Part 4 on Avian Way, Blossom Blvd. & Pear Tree Lane, 9700± S.Y. of pavement (28'wide) with 12" sub-base, 4" NYSDOT Type 1 base, 2" NYSDOT Type 3 binder, 1" NYSDOT Type 7 top, 5975± L.F. of 6" HDPE (perforated) underdrain, 5975± L.F. of 20" Type "BB" concrete curbing, 2 standard town turnarounds w/4 standard barricades.

P.I.P. No. 626
(Detention Basin)

Construction of Summerfield Farms Part 4 on n/s Avian Way, of the (2) detention ponds including the aquatic shelves & plantings, and all appurtenances for a complete installation, 2 outfall structures 3' sq. & 4' sq., 60± L.F.-30" HDPE, 43± L.F.-12" HDPE, 18± L.F.-8" PVC, 13± L.F.-6" PVC.

P.I.P. No. 627
(Storm Sewer)
(& rear yard)

Construction of Summerfield Farms Part 4 on Avian Way, Blossom Blvd. & Pear Tree Lane, 565 L.F. of 36" HDPE, 758 L.F. of 24" HDPE, 585 L.F. of 15" HDPE, 1373 L.F. of 12" HDPE, 354 L.F. of 10" HDPE, 638 L.F. of 8" PVC, 130 L.F. of 6" PVC, 11 ea. 48" dia. manholes, 19 ea. road revrs, 12 ea. light duty revrs, 11 ea. backyard revrs, 2 ea. sediment chambers (1-5R), (1-8R), (4) Rip-Rap spillways (50# min.), and all the necessary devices according to the erosion control plan, i.e., silt fence, ff drop inlet prot. culvert protection, 2 stabilized construction entrances, etc.

P.I.P. No. 628
(Water Line)

Construction of Summerfield Farms Part 4 on Avian Way, Blossom Blvd. & Pear Tree Lane, 2020± L.F. of 10" PVC (C-900), 80± L.F. of 10" D.I.P. (Class 52), 890± L.F. of 8" PVC (C-900), 160± L.F. of 8" D.I.P. (Class 52), (4) hydrant assemblies, 6 (10") line valves, 5 (8") line valves, (4) 2" blow-off assemblies.

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Highway Department of the Town of Lancaster has
requested the Town Board to advertise for bids to furnish one (1) new 2007 Chevy Silverado 4
X 4 for use by the Town Highway Department, and

WHEREAS, the Highway Committee of the Town Board has approved such
request;

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form
attached hereto and made a part hereof, be published in the Lancaster Bee and posted according
to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on February 21,
2007 at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of one (1)
new 2007 Chevy Silverado 4 X 4 for use by the Highway Department of the Town of Lancaster,
in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: rhighwaydeptvehicle107

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
AND/OR
AUTOMOBILE DEALERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 21st day of February, 2007, for furnishing one (1) new 2007 Chevy Silverado 4 X 4 for use by the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Engineering Department of the Town of Lancaster has requested the Town Board to advertise for bids to furnish one (1) new 2007 Chevy Silverado 4 X 4 for use by the Town Engineering Department, and

WHEREAS, the Finance Committee of the Town Board has approved such request;

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on February 21, 2007 at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of one (1) new 2007 Chevy Silverado 4 X 4 for use by the Town Engineering Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: tengineeringdeptvehicle107

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
AND/OR
AUTOMOBILE DEALERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 21st day of February, 2007, for furnishing one (1) new 2007 Chevy Silverado 4 X 4 for use by the Engineering Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, a vacancy exists in the Highway Department for a full-time Laborer due to the upgrade of Martin Brzyski to Light Equipment Operator and,

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated January 30, 2007, has requested to hire John Powell of 1856 Como Park Boulevard, Lancaster, New York, as a Laborer at a starting rate of \$18.11 per hour.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That John Powell, 1856 Como Park Boulevard, Lancaster, New York, be and is hereby appointed to the position of Laborer, full-time, in the Town of Lancaster Highway Department.
2. That the salary and benefits for this position are in accordance with the departmental procedures set forth in the current C.S.E.A. Blue Collar contract.
3. That this appointment shall take effect February 19, 2007.
4. That the Supervisor's office of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 6522 to Claim No. 6807 Inclusive

Total amount hereby authorized to be paid: \$367, 839.18

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

14353	Wacek, John	80 Charlton Pl	Er. Res. Alt.	
14354	Wahl to Wahl Const	496 Pleasant View Dr	Er. Res. Alt.	
14355	Steger, Scott	6101 Broadway	Er. Res. Add.	
14356	Krog Corp	800 Commerce Pkwy	Er. Comm. Add.	(V/L)
14357	Butlak, Richard	92 Pleasant Ave	Er. Gazebo	(V/L)
14358	Complete Heat Inc	431 Ransom Rd	Er. Fireplace	
14359	Stefanov, Peter	16 Edward St	Er. Fence	
14360	Marrano/Marc Equity	18 Red Clover Ln	Er. Dwlg -Sin.	
14361	Wrobel, Todd	5623 Genesee St	Er. Fireplace	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: Rbldg2

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, a suspension was granted.

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously adopted a bond resolution to fund the remediation of certain areas of the Town wide water system as an improvement project, and

WHEREAS, it will be necessary for the Town as a part of this project to undertake utility research and the preparation of a field survey along the route of the water mains which are proposed to be replaced together with preparing CAD based maps for use in the project, and

WHEREAS, the Town also desires to have project management services provided on the design and construction of the overall project and must also have produced as built surveys and record drawings upon the conclusion of construction, and

WHEREAS, the Town Board also desires to provide services associated with the design, general services during construction on resident project representative for 10,950 lineal feet of water main located in the northern central quadrants of the Town which are related to the NYSDOT betterment work which will be undertaken by DOT along Transit and Freeman Roads, and

WHEREAS, the Town consulting engineer, Wm. Schutt & Associates, P.C. has provided a proposal for professional services, including the three task orders above referenced, which the Town Board has reviewed and now deems in the public interest to accept so that the water system improvement project can move forward in a timely manner;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with Wm. Schutt & Associates, P.C. to provide professional engineering services for the Town wide water system improvement project which shall include three separate task orders as follows:

Task Order No. 1 - to provide utility research and field surveys along 44,000 lineal feet of water mains as well as preparing respective CAD based maps for a fee not to exceed \$202,500;

Task Order No. 2 - performing project management services as an advisor to the Town associated with the phase design and construction of the overall project together with as-built surveys and record drawings upon the conclusion of construction of the various phases, and, also various special services also associated with the overall project at a fee not to exceed \$119,000.

Task Order No. 3 - with regard to 10,950 lineal feet of water mains located in the northern and central quadrants of the Town which are related to the NYSDOT betterment work along Transit and Freeman Roads the performance of services associated with design, general services during construction and resident project representative on this phase at a fee not to exceed \$182,000.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 2007

File: townwidewatersystem207

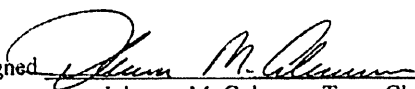
COMMUNICATIONS & REPORTS:

45. Chairman, Lancaster Industrial Development Agency to LIDA Consultant -
Transmittal of 2006 LIDA Report. DISPOSITION = Received & Filed
46. NYS DEC to Town Board -
Notice of solicitation for applications for the State Wildlife Grants Program.
DISPOSITION = Received & Filed
47. Town of Cheektowaga to Town Clerk -
Transmittal of resolution supporting internet sex offender legislation. DISPOSITION =
Received & Filed
48. Buffalo Tournament Club Golf Course to Town Clerk -
Notification of application for liquor license. DISPOSITION = Town Attorney
49. Village of Lancaster to Town Board -
Letter regarding Design Standards for Central Business District. DISPOSITION =
Received & Filed
50. Waste Management to Supervisor -
Notice of price increase effective February 1, 2007. DISPOSITION = Received & Filed
51. Martin S. Nowak to Town Board -
Letter listing suggestions for future street names. DISPOSITION = Received & Filed
52. Empire State Development to Town Clerk -
Letter and attachments regarding 2010 Census. DISPOSITION = Received & Filed
53. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy
Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held January 17, 2007. DISPOSITION = Received &
Filed
54. NYS DOT to Town Attorney -
Notification of Lead Agency designation regarding rezone for proposed Affordable
Senior Housing, 6026 Broadway; comment noted. DISPOSITION = Planning
Committee
55. Erie County Department of Environment & Planning to Supervisor -
Notification of Lead Agency designation regarding rezone for proposed Affordable
Senior Housing, 6026 Broadway; comments and concerns noted. DISPOSITION =
Planning Committee
56. NYS DEC to Town Attorney -
Notification of Lead Agency designation regarding rezone for proposed Affordable
Senior Housing, 6026 Broadway; concerns noted. DISPOSITION = Planning Committee
57. NYS DOT to Town Attorney -
Notification of Lead Agency designation regarding proposed Wehrle Corporate Center,
west of Harris Hill Road; comment noted. DISPOSITION = Planning Committee
58. Erie County Department of Environment & Planning to Supervisor -
Notification of Lead Agency designation regarding proposed Wehrle Corporate Center,
west of Harris Hill Road; comments and concerns noted. DISPOSITION = Planning
Committee
59. Highway Superintendent to Planning Board Chairman -
Advisement of no concerns regarding site plan for Doodle Bugs! Child Care & Preschool
Center, Rehm Road. DISPOSITION = Planning Committee
60. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Advisement of reserved judgement regarding site plan for Doodle Bugs! Child Care &
Preschool Center, Rehm Road due to lack of landscape plan. DISPOSITION = Planning
Committee

61. Addison Law Firm to Town Clerk -
Notice of liquor license renewal application for Fox Valley Beverage Corporation.
DISPOSITION = Town Attorney
62. Highway Superintendent to Town Board -
Request for resolution to hire John Powell as Laborer - Grade #1. DISPOSITION =
Resolution 2/5/07
63. Highway Superintendent to Town Board -
Request resolution to upgrade Marty Brzyski to Light Equipment Operator.
DISPOSITION= Resolution 2/5/07
64. Highway Superintendent to Town Board -
Request permission to upgrade a Laborer to Light Equipment Operator.
DISPOSITION = Resolution 2/5/07
65. Clerk, Legislature of Eric County to Town Board -
Transmittal of resolution supporting proposed New York State legislation regarding sex
crimes against children. DISPOSITION = Received & Filed
66. Executive Director, Youth Bureau to Supervisor, Town Board -
Request adoption of Smoke-Free Movies resolution sponsored by NYS Department of
Health. DISPOSITION = For Resolution
67. NYS DEC to Good Earth Organics Corporation -
Response to recent inspection by Department of Environmental Conservation at Good
Earth Organics. DISPOSITION = Received & Filed
68. PERMA Senior Loss Control Consultant to Town Safety Coordinator -
Transmittal of Loss Control Evaluation determining discount of Workers' Compensation
benefits contribution by town. DISPOSITION = Received & Filed
69. Town Attorney to Town Board, Planning Board -
Notice of meeting of Municipal Review Committee, Monday, February 5, 2007, 6:30 PM
to consider engineering report regarding Windsor Ridge South Subdivision.
DISPOSITION = Received & Filed
70. Town Clerk to Various News Media -
Notice of meeting of Municipal Review Committee, Monday, February 5, 2007, 6:30 PM
to consider engineering report regarding Windsor Ridge South Subdivision.
DISPOSITION = Received & Filed
71. Town Justices to Supervisor -
Request resolution to upgrade hourly rate of Part Time Court Officer.
DISPOSITION = Resolution 2/5/07

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL
MEMBER STEMPIAK AND CARRIED,** the meeting was adjourned at 10:00 P.M. in memory
of Geraldine Beckler and Otilia Eberle.

Signed 
Johanna M. Coleman, Town Clerk